

200308942-1

10/715,951

REMARKS

This is a full and timely response to the non-final Official Action mailed **October 31, 2007**. Reconsideration of the application in light of the above amendments and the following remarks is respectfully requested.

Claim Status:

By the forgoing amendment, various claims have been amended. The amendments made in this regard are made solely to clarify or broaden the scope of the claims and are *not* needed to distinguish the claims from the prior art.

Additionally, claims 29-31 have been cancelled without prejudice or disclaimer. New claim 47 has been added. No claims are cancelled. Thus, claims 1-28 and 32-46 are currently pending for further action.

35 U.S.C. § 112, second paragraph:

In the recent Office Action, claims 5 and 10 were rejected under 35 U.S.C. § 112, second paragraph. These claims have been carefully reviewed in light of the Examiner's comments.

While Applicant does not necessarily agree that claims 5 and 10 were indefinite, the indicated claims have been amended herein to address the issues raised by the Examiner under 35 U.S.C. § 112, second paragraph. Following this amendment, all the remaining claims are believed to be in compliance with 35 U.S.C. § 112 and notice to that effect is respectfully requested.

200308942-1

10/715,951

Prior Art:

Claims 1-5, 9-29, 31-40 and 32-46 were rejected as being anticipated under 35 U.S.C. § 102(e) by U.S. Patent App. Pub. No. 2004/0015566 to Anderson et al. ("Anderson"). For at least the following reasons, this rejection is respectfully traversed.

Claim 1 recites:

A method for managing document processing device job information comprising:
organizing said job information into menus and submenus; and
displaying said job information organized into said menus and submenus to a user.
(Emphasis added).

Claim 1 is amended to clarify that the job information, when displayed, is displayed in the menu and submenu structure created for that job information. Support for the amendment to claim 1 can be found in Applicant's originally filed specification at, for example, Fig. 2 and paragraph 0024.

In contrast, Anderson does not teach or suggest "organizing said job information into menus and submenus; and displaying said job information organized into said menus and submenus to a user." (Claim 1) (emphasis added). Applicant notes that, as recited in claim 1, it is the *job information* itself that is organized into, and displayed as so organized in, menus and submenus.

In rejecting claim 1, the Office Action appears to be reading teachings into the Anderson reference that are not actually there. Specifically, the Office Action argues that, in Anderson, a "main menu shown in [figure 5] allows users to launch submenus of system modules [paragraph 187]. These system modules allow users to view the reports containing activities within the EIMA system [paragraphs 409-418]. Thus, job information in the EIMA system is organized into the menus and submenu presented." (Action, pp. 3-4).

200308942-1

10/7/15,951

This is a mischaracterization of what Anderson actually teaches and reads subject matter into Anderson that is not there. A specific example is helpful. The Main Menu illustrated in Fig. 5 of Anderson includes, for example, an option to access a "print server" (535). With regard to the print server, Anderson teaches the following.

[0327] The purpose of the Print Server is to allow the user to retrieve a subset of images from a database cycle for statement printing. For example, the user can have a database that contains all items for an entire month, or the user may want to pull out items for customers who require statement print. The user uses a match control file to match up the items that he wants to print. The user can then run statement print for the clients that require it.

[0328] The print server retrieves the objects directly from the archive database. Any objects received and placed into a new cycle are in a format that is immediately viewable by NetQuery. In addition, the Print Server allows the user to export print images to a remote server for printing purposes instead of on the main host system. (Anderson, paragraphs 0327-8).

Thus, the print server, accessed through the main menu of Fig. 5, is a function for creating a print job. Anderson does not teach or suggest that accessing the print server in any way provides a listing of job information that is organized into menus and submenus as claimed.

Thus, Anderson teaches a menu in Fig. 5 that includes at least one option, "Print Server," that can be used *to generate* a print job. However, Anderson does not appear to teach or suggest organizing job information, itself, into menus and submenus.

In particular, Anderson does not appear to teach or suggest corresponding submenus of job information. In fact, Fig. 5 of Anderson only shows a menu of system functions. The Office Action does not appear to actually address how or where Anderson teaches *submenus* of job information as recited in claim 1.

In sum, there is clearly a significant difference between functions that generate jobs and a listing of the jobs themselves. Applicant has disclosed and is claiming a method

200308942-1

10/715,951

including organizing the job information, itself, into both menus and corresponding submenus and then displaying the job information in that menu/submenu structure to a user.

The Action also states that Andersons "system modules allow users to view the reports containing activities within the EIMA system [paragraphs 409-418]." (Action, pp. 3-4). It is unclear what relevance this has to the claimed subject matter. At the paragraphs indicated, Anderson, teaches that "[a]udit reports allow the user to find out information about user and system activity by a particular service. The example shown in FIG. 11 shows a sample Audit Report 1100 that has been imported into an Excel spreadsheet." (Anderson, paragraph 0406). Thus, the information here referred to is "user and system activity" that is provided in an "Excel spreadsheet." Anderson does not teach or suggest that this information is "job information" within the meaning of Applicant's claims.

Thus, Anderson teaches that the various *functions* of the host server (110) are organized into menus and submenus as illustrated in Fig. 5. Anderson does not teach or suggest *job information* organized into menus and submenus as claimed. Consequently, Anderson, as cited in the Office Action, is unrelated and entirely inapposite to the subject matter of claim 1.

"A claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. In the present case, Anderson fails to teach any of the subject matter of claim 1, i.e., "organizing said job information into menus and submenus; and displaying said job information to a user." For at least these reasons, the rejection based on Anderson of claim 1 and its dependent claims should be reconsidered and withdrawn.

200308942-1

10/715,951

Independent claim 28 recites:

A document processing device comprising:
a printer for producing hardcopy documents;
a document processing device memory; and
a user interface disposed on said document processing device;
wherein said user interface is configured to select and view job information
for said document processing device that is organized into and displayed in menus
and submenus.

(Emphasis added)

Support for the amendment to claim 28 can be found in Applicant's originally filed specification at, for example, Fig. 1 and the corresponding text.

In contrast, Anderson does not teach or suggest a document processing device that comprises a printer and a user interface disposed on the device itself "wherein said user interface is configured to select and view job information for said document processing device that is organized into and displayed in menus and submenus."

Again, "[a] claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. For at least these reasons, the rejection based on Anderson of claim 28 and its dependent claims should be reconsidered and withdrawn.

Independent claim 38 recites:

A document processing device comprising:
receiving means for receiving job requests; and
display means for displaying *job request information in menus and submenus.*
(Emphasis added).

In contrast, as demonstrated above, Anderson does not teach or suggest a document processing device with "display means for displaying *job request information in menus and submenus.*" (Emphasis added). As cited in the Office Action, Anderson teaches server

200308942-1

10/715,951

functions, not job request information, that are organized in menus and submenus. (Action, p. 10).

Again, “[a] claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. For at least these reasons, the rejection based on Anderson of claim 38 and its dependent claims should be reconsidered and withdrawn.

Independent claim 44 recites:

A processor readable medium having instructions thereon for:
storing job information in document processing device memory;
organizing said job information into menus and submenus; and
displaying said menus and submenus on a user interface or web page.
(Emphasis added).

In contrast, as demonstrated above, Anderson does not teach or suggest a processor readable medium with instruction thereon for “organizing said job information into menus and submenus.” Anderson does not teach job information, as defined and claimed by the Applicant, that is organized into menus and submenus. Consequently, Anderson further fails to teach or suggest such a medium with instructions thereon for “displaying said menus and submenus on a user interface or web page.”

Again, “[a] claim is anticipated [under 35 U.S.C. § 102] only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” *Verdegaal Bros. v. Union Oil Co. of California*, 2 U.S.P.Q.2d 1051, 1053 (Fed. Cir. 1987). See M.P.E.P. § 2131. For at least these reasons, the rejection based on Anderson of claim 44 and its dependent claims should be reconsidered and withdrawn.

200308942-1

10/715,951

Additionally, various dependent claims of the application recite subject matter that is further patentable over the cited prior art. Specific, non-exclusive examples follow.

Claim 4 recites "wherein said organizing said job information comprises organizing said job information according to processing date and time." As demonstrated above, Anderson does not teach or suggest organizing job information into menus and submenus. Consequently, Anderson further fails to teach or suggest so organizing such job information according to processing date and time as recited in claim 4.

Claim 5 recites "wherein jobs processed in a specified time frame are displayed on a user interface of said document processing device. Anderson does not teach or suggest this subject matter.

Claim 14 recites "wherein said user interface is configured to display job information regarding jobs that have already been processed." Claim 15 recites "wherein said user interface is configured to display job information regarding jobs that are currently being processed." Claim 16 recites "wherein said user interface is configured to display job information regarding jobs in a queue waiting to be processed." Anderson does not teach or suggest this subject matter. As demonstrated above, Anderson merely appears to teach the generation of individual print jobs. (Anderson, paragraph 0360).

Claim 17 recites "further comprising processing said jobs in said queue according to a precedence." Claim 18 recites "processing said jobs in said queue according to a set of priority regulations." Anderson does not teach or suggest this subject matter. In this regard,

200308942-1

10/715,951

the Office Action cites Anderson at paragraph 0178. ((Action of 5/24/07, p. 5). However, this portion of Anderson does not describe processing jobs already in a queue according to a precedence or set or priority regulations.

Claims 21-23 recite "wherein one of said plurality of submenus comprises job information on jobs currently being processed;" wherein one of said plurality of submenus comprises job information on jobs in a queue, waiting to be processed;" and "wherein one of said plurality of submenus comprises job information on jobs already processed." Anderson does not teach or suggest this subject matter. In this regard, the Office Action cites Anderson at Fig. 11. (Action of 5/24/07, p. 6). However, Fig. 11 of Anderson is merely "a sample Audit Report 1100 that has been imported into an Excel spreadsheet." (Anderson, paragraph 0407). This portion of Anderson thus has nothing to with the claimed submenus of job information in a document processing device.

Claim 35 recites "wherein said document processing device further comprises an embedded web server." Claim 36 recites "said document processing device is configured to provide said job information for said document processing device that is organized into and displayed in menus and submenus to [a] web browser using said embedded web server." Anderson does not teach or suggest this subject matter.

For at least these additional reasons, the rejections of the indicated dependent claims and any similar claims should be reconsidered and withdrawn.

200308942-1

10/715,951

Claims 6-8 and 41 were rejected under 35 U.S.C. § 103(a) over the combined teachings of Anderson and "Basic Command Line Interface Commands," by Cisco Systems ("Cisco"). This rejection should be reconsidered and withdrawn for at least the reasons given above in favor of the patentability of the independent claims.

Additionally, claim 6 recites "customizing said menus and said submenus according to a user specification." Claim 41 recites similar subject matter.

In response, the Office Action concedes that Anderson does not teach this subject matter, but argues that Cisco "teaches a command line interface having user menus [page 4, menu (EXEC)] similar to the one provided in Anderson. Users can customize the display of the user menus [page 4-5]. This allows users to customize the menu according to their preferences." (Action, p. 13).

The Office Action overlooks the fact that Cisco's menus and user customization having nothing to do with an organization of *job information* as defined and claimed by the Applicant. Moreover, as demonstrated above, Anderson also fails to teach or suggest the claimed organization of *job information*, rather than system functions, into menus and submenus.

Consequently, none of the cited prior art references actually teach or suggest "customizing said menus and said submenus [*of job information*] according to a user specification." Thus, the subject matter of claims 6-8 and 41 remains entirely outside the scope and content of the cited prior art.

Under the analysis required by *Graham v. John Deere*, 383 U.S. 1 (1966) to support a rejection under § 103, the scope and content of the prior art must first be determined, followed by an assessment of the differences between the prior art and the claim at issue in view of the ordinary skill in the art. In the present case, the scope and content of the prior art,

200308942-1

10/715,951

as evidenced by Anderson and Cisco, did not include the claimed "customizing said menus and said submenus [of job information] according to a user specification." This subject matter is entirely outside the scope and content of the cited prior art.

This difference between the claimed subject matter and the cited prior art is significant because Applicant's claimed subject matter provides advantages and flexibility in managing a variety of job information that were not available in the prior art. Consequently, the cited prior art will not support a rejection of claims 6-8 and 41 under 35 U.S.C. § 103 and *Graham*.

Claim 30 was rejected as unpatentable under 35 U.S.C. § 103(a) over the teachings of Anderson taken alone. This rejection is rendered moot by the cancellation herein of claim 30.

The newly added claim is thought to be patentable over the prior art of record for at least the same reasons given above with respect to the original independent claims. Therefore, examination and allowance of the newly added claim is respectfully requested.

Conclusion:

In view of the foregoing arguments, all claims are believed to be in condition for allowance over the prior art of record. Therefore, this response is believed to be a complete response to the Office Action. However, Applicants reserve the right to set forth further arguments supporting the patentability of their claims, including the separate patentability of the dependent claims not explicitly addressed herein, in future papers. Further, for any instances in which the Examiner took Official Notice in the Office Action, Applicants expressly do not acquiesce to the taking of Official Notice, and respectfully request that the

200308942-1

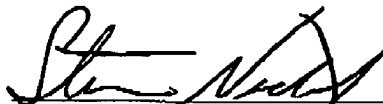
10/715,951

Examiner provide an affidavit to support the Official Notice taken in the next Office Action, as required by 37 CFR 1.104(d)(2) and MPEP § 2144.03.

If the Examiner has any comments or suggestions which could place this application in even better form, the Examiner is requested to telephone the undersigned attorney at the number listed below.

Respectfully submitted,

DATE: January 30, 2008



Steven L. Nichols
Registration No. 40,326

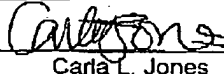
Steven L. Nichols, Esq.
Managing Partner, Utah Office
Rader Fishman & Grauer PLLC
River Park Corporate Center One
10653 S. River Front Parkway, Suite 150
South Jordan, Utah 84095

(801) 572-8066

(801) 572-7666 (fax)

CERTIFICATE OF TRANSMISSION

I hereby certify that this correspondence is being transmitted to the Patent and Trademark Office facsimile number **571-273-8300** on **January 30, 2008**. Number of Pages: **22**



Carla L. Jones